

FILED

08 MAR 20 PM 12:18

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA*778 per JCS*

BY:

DEPUTY

1 Chad McKinney
 2 Pro Se
 3 6266 Madeline St Apt #61
 4 San Diego, CA 92115
 5 619-634-3566

6 THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

7 CHAD MCKINNEY, an individual,

8) CIV. Case No.07-cv-2373
 9)
 10) FOR VIOLATION OF FEDERAL
 11) FALSE CLAIMS ACT AND FOR
 12) VIOLATION OF THE
 13) THE CIVIL RIGHTS ACT 1964 AND
 14) THE AMENDMENTS TO TITLE
 15) VII OF THE CIVIL RIGHTS ACT OF
 16) 1991

17 Plaintiff,

18)
 19)
 20) RETALIATION- WRONGFUL
 21) TERMINATION &
 22) EMPLOYENT DISCRIMINATION
 23) CIVIL ACTION

24 v.

APOLLO GROUP INC., UNIVERSITY OF
 PHOENIX , a Corporation, MECHELLE
 BONILLA, an Enrollment Manager at
 UNIVERSITY OF PHOENIX, KYAN
 FLYNN, Director of Enrollment at
 UNIVERSITY OF PHOENIX, APRIL
 ALCORN, an Employee Relations
 Consultant at UNIVERSITY OF PHOENIX
 CARLYN LINDSTEN, Associate Director of
 Enrollment at UNIVERSITY OF PHOENIX

Plaintiff's Motion for Clerk's Entry
 of Default

Demand for Trial By Jury Pursuant
 to U.S. Constitution, 7th Amendment

March 20, 2008

Defendants

1
PLAINTIFF'S MOTION FOR CLERK'S ENTRY OF DEFAULT
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3 Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, and any other relevant
4 Federal Rule of Civil Procedure pertaining to this case, plaintiff Chad McKinney, Pro Se,
5 respectfully moves the Court to enter a default against the defendant April Alcorn, in the
6 amount of \$25,000 since the Defendant has failed to plead or otherwise defend herself against
7 the plaintiff's original complaint within the timeframe required by the Federal Rules of Civil
8 procedure. The Complaint was originally filed with the Court on December 19th 2007 and
9 entered December 20th. The defendant was served on February 26, 2008. (Please see copy of
10 Return of Service).

11
12 In support of this motion, the Plaintiff states with supporting evidence:

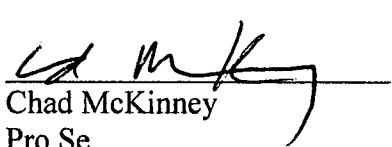
- 13 1. This complaint was filed on December 19, 2007
14 2. This complaint was properly served on February 26, 2008
15 3. As of the 18th of March 2008, the Defendant is late 22 days.
16 4. The plaintiff's complaint requests punitive damages of \$5,000, so a default judgment
17 in this amount should be deemed reasonable.
18 5. Said defendant is not an infant or incompetent, but an individual who was given ample
19 time to respond within the timeframe required by the Federal Rules of Civil Procedure.
20 No extra time was requested by the defendant nor granted by the Court.

1 WHEREFORE, the Plaintiff respectfully request that this Court issue and Order a Default
2 against the Defendant in the amount of \$25,000 to reasonably cover the damages incurred by
3 the plaintiff.

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5 Respectfully submitted,

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7 Chad McKinney

Pro Se

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San Diego, CA 92115

9 619-634-3566

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